

to the floor, debated, even asked for a vote, and still had no clue, after the vote was called and it was lost, whose earmark that was. That wouldn't happen today, and I commend the Democrats for doing this, because of the rules put in place for disclosure. That is great. That is good transparency. But with that transparency, we have to have accountability.

Mr. OBEY. Mr. Chairman, will the gentleman yield on that point?

Mr. FLAKE. I would.

Mr. OBEY. Mr. Chairman, I agree we need accountability. And I want to simply say I don't regard your failure to pass any of your amendments as a personal failure on your part.

Mr. Chairman, I think the gentleman has done his dead level best. The problem is that the system is not conducive to producing real results because, as the gentleman himself has said on this House floor, Members look at these motions and they say, I am not going to vote for the Flake amendment because I have got earmarks hanging out there and I don't want to have my endangered. The result has been that nothing has happened. That is why we have had some of the problems we have had. We could have an honest disagreement about what will be the best system, but I would hope that the gentleman would recognize, even though he might disagree with it, it is an honest effort to develop a system which is far more forthcoming than the one we have had in the past.

And I would simply point out that while the majority leader indicated that he had adopted transparency proposals last year, they conveniently arranged them so that they didn't apply to any of the appropriation bills that they passed last year. That is not the gentleman's fault. But it is the responsibility of the minority leader.

I thank the gentleman for the time.

The CHAIRMAN. The gentleman's time has expired.

#### MOTION TO RISE OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion to rise.

The question was taken; and the Chairman announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 312, noes 82, answered “present” 1, not voting 42, as follows:

[Roll No. 465]

AYES—312

Ackerman	Bachmann	Becerra
Aderholt	Bachus	Berkley
Akin	Baker	Berman
Alexander	Baldwin	Berry
Allen	Barrett (SC)	Biggart
Altmire	Barrow	Billbray
Andrews	Bartlett (MD)	Bilirakis
Arcuri	Barton (TX)	Bishop (GA)
Baca	Bean	Bishop (UT)

Blackburn	Graves	Neugebauer
Blunt	Green, Al	Nunes
Boehner	Hall (TX)	Oberstar
Bonner	Hare	Obey
Bono	Hastings (WA)	Ortiz
Boozman	Hayes	Pallone
Boren	Heller	Payne
Boustany	Hensarling	Pearce
Boyd (FL)	Herger	Pence
Boyd (KS)	Herseeth Sandlin	Peterson (MN)
Brady (TX)	Higgins	Petri
Braley (IA)	Hill	Pitts
Brown (SC)	Hinchev	Platts
Brown, Corrine	Hinojosa	Poe
Brown-Waite,	Hirono	Pomeroy
Ginny	Hobson	Porter
Buchanan	Hodes	Price (GA)
Burgess	Hoekstra	Price (NC)
Burton (IN)	Honda	Pryce (OH)
Buyer	Hoyer	Putnam
Calvert	Inglis (SC)	Ramstad
Camp (MI)	Issa	Regula
Campbell (CA)	Jackson (IL)	Rehberg
Cannon	Jackson-Lee	Reichert
Cantor	(TX)	Renzi
Capito	Jefferson	Reyes
Capps	Jindal	Reynolds
Cardoza	Johnson (GA)	Rogers (AL)
Carnahan	Johnson (IL)	Rogers (KY)
Carter	Johnson, E. B.	Rogers (MI)
Castle	Jordan	Rohrabacher
Castor	Kagen	Ros-Lehtinen
Chabot	Kanjorski	Roskam
Christensen	Kaptur	Rothman
Cole (OK)	Keller	Roybal-Allard
Conyers	Kennedy	Royce
Costa	Kildee	Rush
Courtney	King (IA)	Ryan (OH)
Cramer	King (NY)	Ryan (WI)
Crenshaw	Kingston	Sali
Cubin	Kirk	Sanchez, Linda
Cuellar	Klein (FL)	T.
Cummings	Kline (MN)	Sanchez, Loretta
Davis (AL)	Knollenberg	Sarbanes
Davis (CA)	Kuhl (NY)	Saxton
Davis (IL)	LaHood	Schmidt
Davis (KY)	Lamborn	Scott (VA)
Davis, David	Langevin	Sensenbrenner
Davis, Lincoln	Larson (CT)	Serrano
Davis, Tom	Latham	Shadegg
Deal (GA)	LaTourette	Shays
DeFazio	Lee	Shuler
DeGette	Levin	Shuster
DeLauro	Lewis (CA)	Simpson
Dent	Lewis (KY)	Sires
Diaz-Balart, L.	Linder	Skelton
Diaz-Balart, M.	LoBiondo	Smith (NE)
Dicks	Loeb sack	Smith (NJ)
Doggett	Lofgren, Zoe	Smith (WA)
Donnelly	Lowe	Snyder
Doolittle	Lucas	Solis
Drake	Lungren, Daniel	Souder
Dreier	E.	Space
Duncan	Mack	Spratt
Ehlers	Mahoney (FL)	Stearns
Ellsworth	Manzullo	Sullivan
Emanuel	Marchant	Tancredo
Emerson	Markey	Tanner
Engel	Marshall	Tauscher
English (PA)	Matheson	Taylor
Eshoo	Matsui	Terry
Everett	McCarthy (CA)	Thompson (CA)
Fallin	McCaul (TX)	Thornberry
Farr	McCollum (MN)	Tiahrt
Feeney	McCotter	Tiberi
Ferguson	McCrery	Turner
Flake	McHenry	Upton
Forbes	McHugh	Walberg
Fortenberry	McIntyre	Walden (OR)
Fossella	McKeon	Walsh (NY)
Fox	McMorris	Wamp
Frank (MA)	Rodgers	Wasserman
Franks (AZ)	Mica	Schultz
Frelinghuysen	Michaud	Waxman
Gallely	Miller (FL)	Weiner
Garrett (NJ)	Miller (MI)	Weller
Gerlach	Miller (NC)	Wexler
Giffords	Miller, Gary	Whitfield
Gilchrest	Miller, George	Wicker
Gillibrand	Moore (KS)	Wilson (NM)
Gillmor	Moran (KS)	Wilson (OH)
Gingrey	Murphy (CT)	Wilson (SC)
Gohmert	Murphy, Patrick	Wolf
Goode	Murphy, Tim	Wynn
Goodlatte	Murtha	Yarmuth
Gordon	Musgrave	Young (AK)
Granger	Napolitano	Young (FL)

#### NOES—82

Abercrombie	Kind	Ruppersberger
Bishop (NY)	Kucinich	Salazar
Blumenauer	Lampson	Schakowsky
Boswell	Larsen (WA)	Schiff
Brady (PA)	Lewis (GA)	Schwartz
Butterfield	Lipinski	Scott (GA)
Capuano	Lynch	Sestak
Carney	Maloney (NY)	Shea-Porter
Chandler	McCarthy (NY)	Sherman
Clarke	McDermott	Slaughter
Cleaver	McGovern	Stupak
Clyburn	McNerney	Sutton
Cooper	McNulty	Thompson (MS)
Costello	Meek (FL)	Tierney
Crowley	Meeks (NY)	Towns
Delahunt	Melancon	Udall (NM)
Etheridge	Mitchell	Van Hollen
Fattah	Mollohan	Velázquez
Filner	Moore (WI)	Visclosky
Gonzalez	Nadler	Walz (MN)
Green, Gene	Neal (MA)	Waters
Grijalva	Olver	Watson
Hall (NY)	Pascarell	Watt
Hastings (FL)	Pastor	Welch (VT)
Holt	Perlmutter	Woolsey
Inslee	Rahall	Wu
Israel	Rodriguez	
Jones (OH)	Ross	

#### ANSWERED “PRESENT”—1

Cohen

#### NOT VOTING—42

Baird	Fortuño	Myrick
Bordallo	Gutierrez	Norton
Boucher	Harman	Paul
Carson	Hastert	Peterson (PA)
Clay	Holden	Pickering
Coble	Hoolley	Radanovich
Conaway	Hulshof	Rangel
Culberson	Hunter	Sessions
Davis, Jo Ann	Johnson, Sam	Shimkus
Dingell	Jones (NC)	Smith (TX)
Doyle	Kilpatrick	Stark
Edwards	Lantos	Udall (CO)
Ellison	Meehan	Weldon (FL)
Faleomavaega	Moran (VA)	Westmoreland

#### ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining on this vote.

□ 0207

Ms. SLAUGHTER changed her vote from “aye” to “no.”

So the motion to rise was agreed to.

The result of the vote was announced as above recorded.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. TAUSCHER) having assumed the chair, Mr. FRANK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2638) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes, had come to no resolution thereon.

#### GENERAL LEAVE

Mr. PRICE of North Carolina. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on H.R. 2638.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.